

**AFFIDAVIT OF ATTORNEY DONALD M. BROWN, ESQ.**

Before me, deposes, Donald M. Brown, as follows:

1. I am over the age of eighteen and understand the obligations of an oath.
2. I am an admitted Attorney and Commissioner of the Superior Court in the State of Connecticut since November 3, 2003. I am also a member of the Federal District Court of Connecticut.
3. I represent Thomas LaCasse in FST-CV09-5011591-S, *RESIDENTIAL FUNDING v. LACASSE, THOMAS*, a foreclosure action involving residential property owned by Mr. LaCasse in Weston, CT.
4. On or about February 14, 2012, at the direction of my client, I propounded various questions by way of a Qualified Written Request to GMAC Mortgage regarding Mr. LaCasse's note and mortgage.
5. Said questions were designed to aid Mr. LaCasse in defending his foreclosure action.
6. In response to said questions, GMAC Mortgage indicated that the note was owned by HSBC as Trustee, and that Residential Funding was a servicer, amongst others.
7. On May 14, 2012, Residential Capital and certain subsidiaries, including, Residential Funding LLC, filed for bankruptcy protection under Chapter 11 in the Southern District of New York, Bankruptcy Court, bearing docket no. 12-1202.
8. On or about September 14, 2012, counsel for Residential Funding (Thomas Elcock, PHV, of Prince Lobel Tye) approached me in the hall and offered the following stipulation "Residential Funding was not the holder of the note at the time of the foreclosure."
9. Said stipulation was knowing and voluntary and was not part of any settlement negotiation.
10. I attempted to offer this stipulation on the record before the court on September 14, 2012. However, the court would not hear said stipulation and instead ordered Attorney Elcock to obtain a more specific court order authorizing him and his client (Residential Funding) to proceed in this matter.
11. It is my belief that there were other witnesses present who heard this stipulation and the sum of our conversation as well.
12. This affidavit is made freely and at the request of Attorney Laird Heal, counsel for Thomas LaCasse in the matter pending before the bankruptcy court in the Southern District of New York and is a true and accurate account of facts as I recall them.

THE AFFIANT,

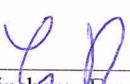
Donald M. Brown, Esq.

STATE OF CONNECTICUT :

: ss. At Stamford, CT

COUNTY OF FAIRFIELD :

Subscribed and sworn to before me this 16<sup>th</sup> day of September, 2013.

  
Larry F. Ginsberg, Esq.  
A Commissioner of the Superior Court